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Dated: June 5, 2002

Signature:

(Mark G. Hanley)

Docket No.: 30320/37779/US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dana L. Rose, et al.

Application No.: 10/027053

Group Art Unit: 2133

Filed: December 20, 2001

Examiner: Not Yet Assigned

For: BIT ERROR RATE TEST SYSTEM FOR
MULTI- SOURCE AGREEMENT
COMPLIANT TRANSCEIVERS

INFORMATION DISCLOSURE STATEMENT (IDS)

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Commissioner for Patents
Washington, DC 20231

JUN 17 2002

Technology Center 2100

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned.

A copy of each reference on PTO/SB/08 is attached.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application no. and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

A concise explanation of relevance of the items listed on form PTO/SB/08 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed items
- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references

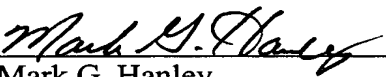
While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

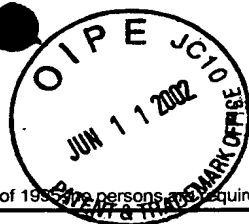
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30320/37779/US. A duplicate copy of this paper is enclosed.

Dated: June 5, 2002

Respectfully submitted,

By 
Mark G. Hanley
Registration No.: 44,736
(312) 474-6300
Attorneys for Applicant



PTO/SB/08A (10-01)

Approved for use through 10/31/2002.OMB 0651-0031

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| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/027053 |
| | | | | Filing Date | December 20, 2001 |
| | | | | First Named Inventor | Dana L. Rose |
| | | | | Art Unit | 2133 |
| | | | | Examiner Name | Not Yet Assigned |
| Sheet | 1 | of | 1 | Attorney Docket Number | 30320/37779/US |

| U. S. PATENT DOCUMENTS | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|--|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
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| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
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¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|--------------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | | | |
| | A | Reference Document for 300 Pin 10Gb Transponder, April 16, 2001, pp. 1-31 | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.


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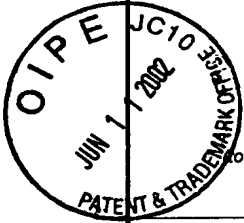
6P 2133

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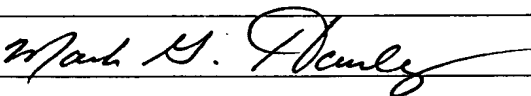
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| | | | |
|--|--|------------------------|-------------------|
| TRANSMITTAL FORM to be used for all correspondence after initial filing) | | Application Number | 10/027,053 |
| | | Filing Date | December 20, 2001 |
| | | First Named Inventor | Dana L. Rose |
| | | Group Art Unit | 2133 |
| | | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | | Attorney Docket Number | 30320/37779/US |

ENCLOSURES (check all that apply)

| | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below) |
| Remarks | | RECEIVED JUN 17 2002 Technology Center 2100 |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual Name | MARSHALL, GERSTEIN & BORUN Mark G. Hanley |
| Signature |  |
| Date | June 5, 2002 |

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